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THE
RETURN
OF THE
People of England:

*Tendred to the Speaker of the House of
COMMONS;*

In Answer (after mature consideration had
in our severall Parishes) to their

DECLARATION

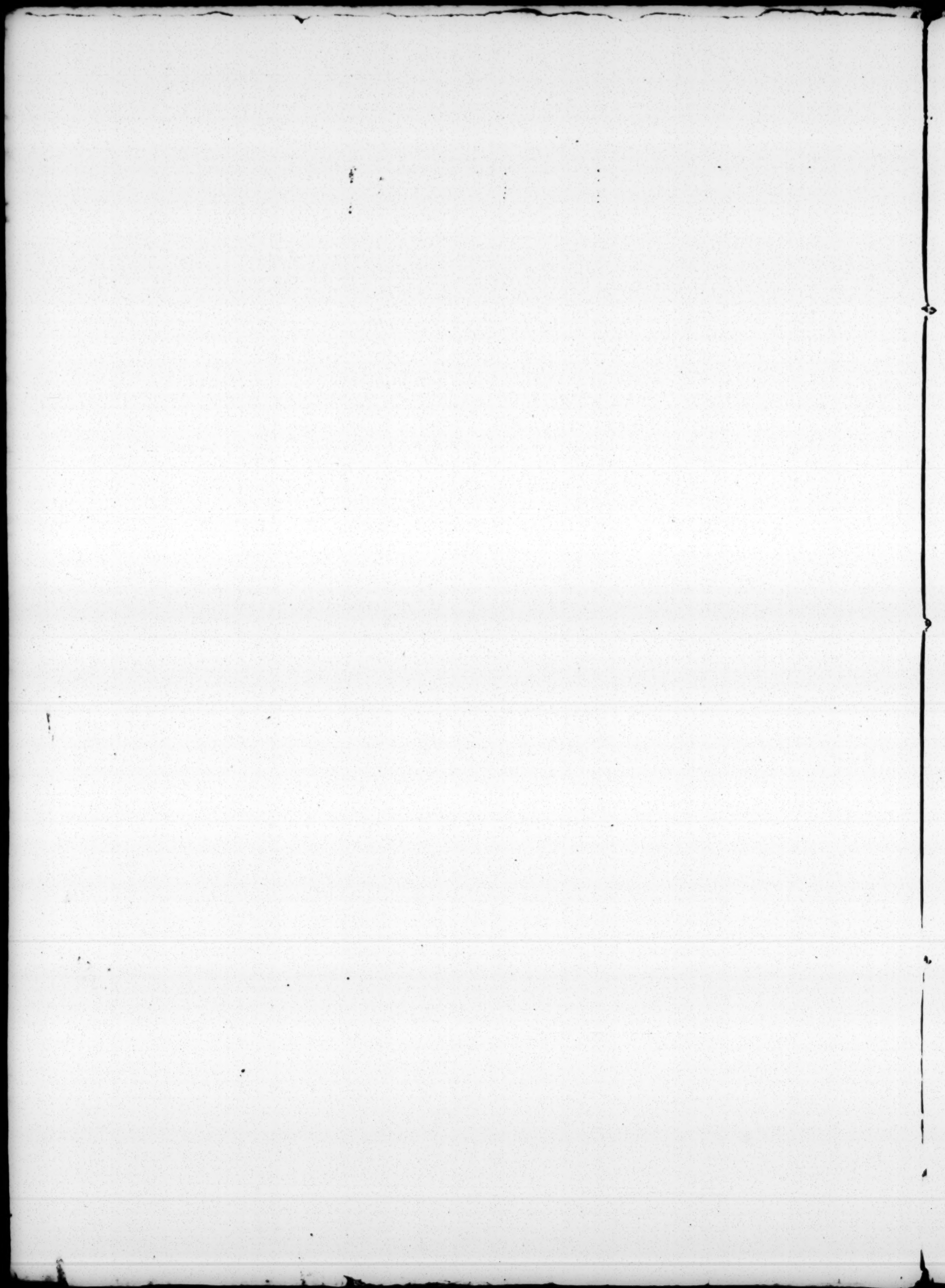
of the 11. of February, 16 7.

Being read according to Order.

Wherein all men may plainly see, what the successe
of this Treaty would be, and to our wofull expe-
rience is justly come to passe.

With a Vindication of His MAJESTY, from all
false aspersions, and from any defect on his
part therein.

Printed in the Yeere M. DC. XLVII





The Returne of the people of ENGLAND.

*Tendred to the Speaker of the honourable House
of Commons.*

SIR,

Your Declaration of the 11. of Febr. expressing the Reasons of your Votes for no more Addresses to the King, hath been long since carefully read in our Parish Churches, according to Order, and vehemently pressed by the Ministers that you have placed amongst us.



You could not expect that, we the Common People of England, as little vers'd in State matters, as some of your Members (viz. Mr. Nixon of Oxon, Mercer; Mr. Lowrey of Cambridge, Fuller; Mr. Snelling of Southwark, Strong-waite; and pittifull Mr. Allen, of Weymouth, Pever) should of our selves, presently upon Publication of your Declaration, be able to judge of the severall particulars, and render account accordingly.

But now at last having sufficiently informed our selves, by the best meanes, and waies we could, of all, and everie the contents of your Declaration, it seemes to us, to be of the Nature of a *Chancery Bill*, charging roundly (it matters not how truly) his sacred Majesty; And, Reserving to our selves all exceptions against the uncertainties, and insufficiencies of it, we present to your more serious consideration these our observations upon the same.

Nor must you blame us, that we Returne some things in your Declaration, as uncertain, and insufficient; for, in the last page, your selves intimate as much: telling us, that you had sufficient evidence and proofes of most (not of all) (as we have of verie few things contained in it; for instance,

Concerning your Propositions to the King, and the Kings to you,
 You declare, *that you have no lesse then seven times made your Ad-*
resses to the King : But because we find them not particularly na-
 med by you, we must refer them unto the *uncertainties* of your De-
 claration.

You declare also, *that you tendred such Propositions that might oc-*
casion the world to judge you had not only yeelded up your Wills, and
affections, but your Reason also and Judgement, for obtaining any true
peace, or good Accommodation. But whether you have done so or
 no, let all the world judge by your *Propositions themselves.*

The Parliaments Propositions to the King.

1. **T**Hat the two Houses shall nominate the *Lords of the Privy*
Counsell and all the great Officers and Ministers of State,
 and the Judges of the Land.

2. That the *Government of the Church by Archbishops, Bishops, &c.*
 be abolished; and the Government to be set up, shall be such as the
 two Houses of Parliament shall agree upon.

3. That the *Militia both by Sea and Land,* shall be disposed, and
 executed by the two Houses of Parliament.

4. That the custody and Command of the *Forts and Castles* shall
 be committed to such as shall be approved by the two Houses of
 Parliament.

5. That all *Peeres lately made or to be made hereafter,* shall not sit
 or Vote in Parliament, but by the consent of the two Houses of
 Parliament.

Husb. Ex-
 a & Col
 pag 307.

These Propositions we find amongst the 19. which you tendred
 to his Majesty, June 2. 1642. and we have premised them and pla-
 ced them all by themselves, that the world may see the true ground
 of the Quarrell, wherein so much Blood hath bin shed, the *Blood*
of Fathers, Brothers, and Children, &c. and that the world may
 judge, *who is guilty of all the Bloodshed.*

Your Propositions concerning *Papists* we have omitted, because
 his Majesty consented to them.

The Propositions which follow, were added, upon the *Conjunction*
with the Scots, and upon occasion of the Warres in England and Ireland;
 were treated upon at Uxbridge, and tendred to his Majesty,
 Whitehall, Hampton Court, and the Isle of Wight.

That all the *Kings Declarations, Proclamations, &c.* against the
 proceedings

proceedings of the two Houses be made null.

7. That the King, and all the Subjects of the three Kingdomes, do take the Covenant.

8. That there be a *Reformation* of, and a unity, and *uniformity* in *Religion*, according to the Covenant, in the Kingdomes of England, and Scotland.

9. That the *Court of Wards*, and all Wardships, be taken away.

10. That the *Treaties between the two Kingdomes* be confirmed by act of Parliament.

11. That the *joynt Declaration of both Kingdomes*, of Jan 30. 1643. concerning those that adhere to the King in this War, be confirmed by Act of Parliament.

12. That an Act bee passed for paying the *publique debts* of the Kingdome.

13. That the *Cessation in Ireland* be made void; and that the Prosecution of the war be settled in the two Houses of Parliament.

14. That *Religion be reformed in Ireland*, according to the Covenant, and as the two Houses of Parliament shall think fit:

15. That the *Deputy*, or chief *Governour*, or other *governours* of *Ireland*, and the *Presidents* of the severall *Provinces*, and the *Secretaries* of State, Mr. of the *Rolles*, *Judges* of both *Benches*, *Barons* of the *Exchequer*, the *Vice-Treasurer*, and *Treasurer* of *Warres* of that *Kingdome*, be nominated by both Houses of Parliament of England.

16. That the *Militia of London* shall be governed by the two Houses of Parliament.

That the *Tower of London* be in the Government of the *City*, and the chiefe *Governour* to be nominated, and removeable by the *Common Counsell*.

17. That all that hath passed under the great *Seale* of England in the custody of the *Parliament-Commissioners*, be valid; And that whatsoever hath passed the *Kings great Seale*, since the 22. of May 1642. be made void; As likewise, whatsoever grants of Offices, Lands, tenements, and heriditaments have passed the great *Seale* of *Ireland*, since the cessation 15. Sept. 1643. And whatsoever Honours have been conferrd by that Seal, since that time

And now let the world judge also, whether, be fit for *Subjet* to offer such Propositions to their *Sovereign*, whereby you take away from the King, and from the *Crownet*, the chiefe Power and

vernment of the two Kingdomes of England, and Ireland, and would settle it in the two Houses of Parliament. And we appeale to your own Consciences, whether ever any *Protestant Parliament* made the like assaults upon the *King*? And whether ever any *Papist Parliament* attempted the like against the *Crown*?

Also let the world judge, whether the King did not offer *Propositions fit for you to receive* at the Treaties, both of Oxford and Uxbridge.

The Kings Propositions.

Exast. Col.
p. 912.

1. **T**hat his Majesties own *Revenue, Magazine, Townes, Forts and Ships*, which have bin taken or kept from him, by force, be forthwith restored unto him.

2. That whatsoever hath bin done, or published contrary to the *Lawes of the Land*, or derogatory to his *Majesties Legall and known Power and Rights*, be renounced, and recalled; that no seed may remain for the like to spring out for the future.

3. That whatsoever *illegal Power* hath been claimed, or exercised, by or over his *Subjects*, as *imprisoning their persons without Law, stopping their Habeas Corpusses, and imposing upon their Estates without Act of Parliament, &c.* either by both, or either House, or any Committee of both, or either; or by any persons appointed by any of them, be disclaimed, and all such persons so committed forthwith discharged.

4. That as his Majesty will readily consent (having done so heretofore) to the execution of all *Lawes already made*, and to any *good Acts to be made for the suppressing of Popery*, and for the firme settling the *Protestant Religion* now established by Law; so he desires, that a good *Bill may be framed* for the better preserving the *Book of Common Prayer* from the scorn and violence of *Brownists, Anabaptists, and other Sectaries*, with such clauses for the ease of tender Consciences as his Majesty hath formerly offered.

5. That all such Persons as upon the *Treaty*, shall be excepted out of the generall Pardon, shall be tryed *per Pares*, according to the usual course, and known *Lawes of the Land*; and that it be left to that, either to acquit or condemn them.

And now we appeale to your own Consciences, whether it were not fit for you to have received and acquiesced in these his *Majesties Propositions* (for conserving the rights of the *Crown, the Law*

Law of the Land, the Liberty of the Subject, the establish'd Religion, and the Fundamentall Justice of the Kingdome) who, when you published your Propositions for bringing in Money and Plate, June 10. 1642. declared, *that whatsoever is brought in shall not at all be employed upon any other occasion, then to maintain the Protestant Religion, the Kings Authority, and his Person in his Royall dignity, the free course of Justice, the Lawes of the Land, the Peace of the Kingdome, and Priviledges of Parliament.* fixac. Col. 342.

But if his Majesties Propositions were not, yet his Condescensions to your Propositions, tendred, and published before this your Declaration, were doubtlesse *not unfit for you to accept.*

The Kings Condescensions to the Parliaments Propositions.

1. **C**oncerning the great Officers of State, &c. That their Patents and Commissions being taken from his Majesty, they should be nominated by the two Houses of Parliament *during his Majesties Reigne*, and afterwards to return to the Crown. See the Book called the Kings most gracious Messages for peace. p. 86. p. 85.

2. *Touching the Church Government*, That the Presbyteriall Government be legally permitted to stand for 3. yeares : provided his Majesty or any others who cannot in Conscience subscribe hereunto may have free practise of their own Profession ; And a debate be had with the Divines at Westminster (20. of his Majesties Nomination being added unto them) whereby it may be determined by his Majesty, and the two Houses, how Church-Government after the same time shall be settled, as is most agreeable to the Will of God.

3. *Touching the Militia* ; That the whole power of the Militia both by Sea, and Land, shall be ordered by the two Houses of Parliament *during his Majesties Reigne* : yet so, as all Commissions and other Acts concerning the Militia, be made and acted, as formerly ; and after his Majesties Reigne, all the Power of the Militia shall return entirely to the Crown, as it was in the times of Q. Elizabeth, and King James of happy memory. p. 86.

4. *Touching his Majesties Proclamations and Declarations* against the two Houses and their Proceedings :

That he will consent to an Act of Parliament for making the same null ; And he further proposeth (as the best expedient to away all seeds of future differences) that there be an Act of Parliament to extend to all his Subjects.

p.66.

5. Touching *the taking of the Covenant*, &c; That though his Majesty be not therein satisfied, yet he will make clearly appeare, both his Zeale to the Protestant Profession, and the union of these two Kingdomes, which he conceives to be the main drift of the Covenant.

p.68.

6. Touching *the Treaties between the two Kingdomes*; That he would agree to all things that are propounded touching the confirming of the Peace of the two Kingdomes.

p.87.

7. Touching *the Payments of the Publique debts*; That he would consent to such Acts as the two Houses shall agree upon.

p.87.

8. Touching *the Court of Wards*: That his Majesty would consent to an Act for taking it away, so as a full recompence be settled upon his Majesty, and his Successors for ever hereafter.

p.88.

9. Touching *Ireland*, that the Cessation there is long since determined; And for the future, that his Majesty would give you full satisfaction concerning that Kingdome.

p.69.

10. Touching *the City of London*; That his Majesty consented to all the Propositions concerning it.

p.88.

11. Touching *the Acts passed under the great Seales*; his Majesty promised after perusall of particulars, to give you satisfaction to what might reasonably be desired by you.

And now indeed hath his Majesty offered *such Tenders to you as were not fit for him to make, nor for you to receive*, but in order to an Accommodation, and peace: And we cannot but be sensible of his Majestys grace and goodnesse to us, who was pleased to condescend even to the dethroning of himselfe, for our Peace and quiet; and we cannot enough blame you, who would not accommodate upon these Condescensions, but rather renew the War again. And being, as you were pre-engaged against Monarchy, you could not deem any thing fit for you to offer, or accept, that came short of your design; And so it have you sacrificed our Peace also.

Exact.
Col.

You go on, with the same confidence, and declare; That his Majesty sometimes denyed to receive your humble Petitions for Peace: We conceive you meant the Petition which you sent to the Earle of Essex at Worcester, about the end of Sept. 1642. to be presented to his Majesty, then at Shrewsbury; upon notice whereof, his Majesty declared, that he was ready to receive any Petition from you; by he required that none of those persons whom he had particularly accused

accused of High Treason, should by Colour of that Petition be employed to his Majesty: And so we accompt this charge amongst the insufficiencies of your Declaration.

Concerning the Overture of a Treaty at Windsor, and his Majesties advance to Brainford,

We finde, that when you sent your Messenger about this overture to the King at Colbrooke, the Earle of Essex being returned to London: drew a great part of his forces, and the London Trained Bands, towards his Majesty; sending others by the way of Acton on the one side, and of Kingston on the other; Windsor also being then Garrisoned by you; so that if his Majesty had remained at Colbrook, he would have been invironed by your forces; Whereupon he resolved suddainly to fall upon the body at Brainford; and having defeated them he made his way over Kingston, and so retreated to Reading; Nor was there any Cessation mentioned by your Messenger who brought that Overture to his Majesty.

And 'twas not your feare for London, or the slaughter at Brainford, but the Kings escape, that so much trouble you.

Concerning the bloody Massacre in London by vertue of the Kings Commission,

Wee finde, that to bee no other then a Commission Array in English, which was to have been made use of upon the Kings Motion with his Army toward the City; As you had your Ordinances for the Militia ready upon all occasions to be executed in the Kings Quarters.

Concerning the Kings Coronation Oath,

We find it to be this, and to be administred, and taken thus: Exact

At the Coronation, the Sermon being done, the Arch-Bishop goeth to the King, and askes his willingnesse to take the Oath usually taken by his Predecessors. Col. 237

The King sheweth himselfe willing, ariseth, and goeth to the Altar; The Arch-Bishop administred these Questions, and the King answereth them severally.

The Bishop. Sir, will you grant, and keep, and by your Oath confirm, to the People of England the Lawes, and Customs to them granted by the Kings of England, your lawfull, and religious Predecessors, and namely the Lawes, Customs and Franchises granted to the Clergy by the glorious King S. Edward your Predecessor, according to the Lawes of

God, the true Profession of the Gospell established in this Kingdome, and agreeable to the Prerogative of the Kings thereof, and the ancient Customs of this Realme.

The King. I grant and promise to keep them.

Bishop. Sir, Will you keep Peace, and godly Agreement entirely (according to your Power) both to God, the holy Church, the Clergy and the People?

King. I will keep it.

Bishop. Sir, Will you (to your Power) cause Law, Justice, and discretion in Mercy, and Truth, to be executed in all your Judgements.

King. I will.

Bishop. Sir, Will you grant to hold, and keep the Lawes and rightfull Customs which the Commonality of this your Kingdome have; and will you defend and uphold them to the Honour of God, so much as in you lyeth?

King. I grant and promise so to do.

Then one of the Bishops reads this admonition to the King before the People with a loud voice.

Our Lord, and King, we beseech you to pardon and to grant, and to preserve unto us, and to the Churches committed to our Charge, all Canonically Priviledges, and due Law, and Justice, and that you would protect and defend us as every good King in his Kingdomes ought to be Protector, and Defender of the Bishops, and the Churches under your Government.

The King answereth.

With my willing and devout Heart I promise, and grant my Pardon; and that I will preserve, and maintain to you and the Churches committed to your charge all Canonically Priviledges, and due Law, and Justice; and that I will be your Protector and Defender to my Power by the Assistance of God, as every good King in his Kingdome is right ought to protect and defend the Bishops, and Churches under their Government.

Then the King riseth, and is led to the Communion Table: where he makes a solemn Oath in the sight of all the People, to observe the Premises: And laying his hand upon the Book, saith.

The Oath

Things which I have before Promised I shall perform, and keep: To the Honour of God, and the Contents of this Book.

So,

So, the defence, and maintenance of the *Lawes, Customes, and Franchises* of the *People, and Clergy*; and of *peace, and godly agreement* amongst them; And of *Law, Justice, and Mercy*; and of the *Lawes and Rightfull Customes of the Commonalty*; and the *Preservation, and Protection of the Bishops, their Churches, and Priviledges*, is the sum of the Kings Coronation Oath; And is not this also the ground of his late Quarrell?

For why did he at first refuse to grant you the *Militia*, but in order to his Oath; because without that Power he could not, as he was bound, defend the *Lawes, the People, and the Church*. And why doth he refuse to passe your *Bill for abolishing Bishops, Deans and Chapters, &c.* but because he is bound by his Coronation Oath to protect them: And were not these the particulars first controverted between you? And were there not first Bills brought into your House about them, and the Bills being rejected, were they not afterward revived by Tumults? And these two things, are they not principally insisted on in all your Propositions and Treaties?

And (*in truth*) you are offended with his Majesty, not because he hath broke his Oath, but because he will not break it.

And would God you were as religious observers of your Oathes, so often renewed before God, and the whole world; and especially of the Oath of Supremacie, wherein you protest and declare that King Charles is the onely Supreme Governour in this Realm. And you promise, (from henceforth) to beare faith, and true allegiance to the Kings Highnesse, his Heires, and lawfull Successors, and to assist, and defend all Jurisdiction, Priviledges, Preheminiences, and Authority, granted or belonging to the Kings Highnesse, his Heires and Successors, and united, and annexed to the Imperiall Crown.

And for our parts we are resolved, to adhere to our Oath of Allegiance; wherein we promise, that from henceforth we will beare faith, and true allegiance, to the Kings Highnesse, his Heires and lawfull Successors, and him, and them will defend, to the utmost of our Power, against all conspiracies, and attempts whatsoever, which shall be made against his or their Persons, their Crown, and Dignity.

Of other his Majesties Vowes and Protestations, and of the pacification with the Scots, &c. we shall speak more conveniently hereafter.

In the next place you charge his Majesty with a continued track of breach of trust ever since he wore the Crowne. To this we demur,

doubting, whether you are competent Judges of the Kings trust, of his breach of trust, *and of the King himselfe for breaking his trust; for that is the drift and scope of your Declaration.*

We believe, that the Kings power is Fiduciary, and that the Kingly Office is a great trust: but that he is intrusted as he is impowered by God, *and only by God*: And this Doctrine we learned long since from the two Prayers for the King immediately following the Commandements in the Book of Common-Prayer; but (it should seem) you have damned them both together.

And whether there *hath been a continued breach of trust by the King*, we shall see upon the examination of the particulars in your Declaration; in the meane time we account this as one of your *uncertainties.*

Of his Majesties two Maximes or Principles, wherein he hath laid a fit foundation for all Tyranny, we shall speak more hereafter.

Concerning the private Articles agreed in order to the Match with Spaine; and those other private Articles upon the French Marriage,

We find that they were transacted by K. James, and therefore are not to be imputed to K. Charles; so we accompt them amongst the insufficiencies of your Declaration: and because they are private we cannot judge of the nature of them; and so refer them amongst your *uncertainties.*

Concerning the death of King James.

We find, that the Kings sicknesse was an *Ague*, that the plaisters applied to his breast and wrists, were only of London Treacle and *Mithridate*: and that the drink or potion you speake of, was only *Poffet-drinke*, wherein *Harts-horne* was boiled, and which was sweetned with the *syrup of Gilleflowers.*

That M. Rinnington Physitian of Donmow in Essex yet living, prescribed these Medicines, first to the E. of *Warwicke*, being sicke of an *Ague*; and that the Duke of *Buckingham* afterward falling ill of an *Ague* at the E. of *Warwicks* in Essex, his Lordship advised the Duke to make use of them: Lastly, that both these Lords found a good effect wrought in them by that Physick, and thereupon the Duke proposed it to His Majestie; nor do we perceive, that you except against the Physick, but only against the Dukes application of it, without the direction or privy of His Majesties Physicians:

Strians: But the Duke in his *Answer* (which you have by you) declares that there was nothing administred to the King, without the privy of the Phisitians, and his own importunate desire and command: And we have reason to beleieve, that you did acquiesce in the Dukes answer, *as true, and satisfactory*, because there was no farther Prosecution of him, in the next Parliament holden the yeare following. viz. 3. *Caroli*. And we appeale to your Journall Books, whether there be any mention of the businesse in *either of your Remonstrances* of that Parliament (for then you began first to remonstrate.) And so (if there be any guilt) we leave the world to judge where the guilt remaines, that this businesse was not farther prosecuted.

See the
Petition of
Right, ter-
tio Caroli,

Concerning Rochell,

We find that his Majesty lent not *divers of the Navy Royall*, but the *Vanguard only*.

And that he did not lend other Merchants Ships, but *permitted them only to be hired of the Merchants*: And that they were not lent to be employed against the Protestants in France, but upon a *precise promise*, that they should not be employed against those of the Religion.

And because the King of France had employed them contrary to his promise, therefore did his Majesty enter into hostilities with France, as appears by the Duke of *Buckingham's* Commission, under whom he sent an Army into the Isle of Rhea.

Besides, his Majesty recalled those Ships, and they were returned, 2. yeares before Rochell was lost.

Concerning the German Horse, Loane, Privy Seales, Coat and Conduct-Money, Monopolies, &c.

Because you have thrust all these into one charge, we will speak of them, first together, and then of each particular.

Concerning them together, we find that in your Remonstrance of the 15. of Dec. 1641. you declared them to be the effects of evil Counsellors onely.

And in your Petition accompanying it, that you protested, the Remonstrance was made without the least intention to lay a blemish upon his Majesties Royall Person, but only to represent how his Royall Authority and trust had been abused.

And in your Declaration of 19. May 1642. That you tell us, you should say that all the ill things done of late in his Majesties Name

Exact
Colp. 198.

have been done by himselfe, you should neither follow the direction of the Laws, nor the affection of your own hearts.

Exac. Col.
pag. 199. And in the same Declaration, *that it is a maxime in the Law, the King can do no wrong; but if any ill be committed in matter of State, the Counsell; If in matters of Justice, the Judges must answer for it.*

And how then, contrary to your *Petition, Protestation, affection,* and to the *direction of the Law*, are these, and the like things now imputed to his Majesty?

Much more may be said, on behalfe of his Majesty in each *particular.*

1. *Concerning the German Horse:* That if there were any design in bringing over those Horse, it was by others; and amongst them your *Balfore*, and *Dalbier* were principall: But so soon as the Proposition was made to the King, *he rejected it, and never consented to the practise of it.*

2. *Concerning Loanes, and Privy Seales:* That they have been in all times practised, *upon reason, and necessity of State:* And that they have not been so frequent in K. *Charles's* time, as in Q. *Elizabeth's*: thereof no sober man hath ever complained.

See the
Pell Off.
Ecc. 3. *Concerning Coat, and Conduct money:* That it was repaid to the Collectors of Subsidies, and by them, to the Deputy-Lieutenants of the severall Counties, to be distributed amongst the Inhabitants. And for want of such distribution in Dorsetshire, was there presentment thereof made to the Judge of Assizes.

4. *Concerning the Inclosing of Commons:* That his Majesty paid a dear rate for those that himselfe inclosed; as for making the new parks at Richmond, and Wimbleton.

21. Jac. 5. *Concerning Monopolies:* That the Law alloweth them, *for the encouragement of new Inventions*, so that they be not contrary to the Law, nor inconvenient to the State, &c. And when any *Petitions in this kind* were brought to his Majesty, he ever referd them to his *Attorney*, or *Sollicitor*, and he passed them, upon their Certificate, that the *Monopolies* petitioned for were not contrary to Law, nor inconvenient to the People, and not otherwise.

6. *Concerning Ship-money:* That his Majesty had a Judgment in a Court of Law for it before all the Judges of England.

Besides, all these pressures were remedied by severall Acts in the beginning of the Parliament: and we remember, that (by
your

your Order) the Judges of Assize gave us notice thereof, and highly extolled his Majesties goodnesse in passing so many gracious Acts for us: And must these grievances now after seven years redresse, be objected to us against him? And must the King, who by your owne Law can do no wrong in these cases, be prosecuted, and those vile Monopolists, Sir *Hen. Mildmay*, Sir *John Wollaston*, and *M. Lawrence Whitaker*, and also *White* the Sope-boiler at Lambeth, be protected and cherished by you?

At Sum-
mer Assi-
zes, 1641.

7. *Concerning the Spanish Fleet*, That it was bound to Flanders, with new levied Souldiers to recruit their Army there; which souldiers were without *Arms*, and without *Officers*, as we remember the Fleet was without *Powder*; and therefore they intended no invasion, being not provided for it.

Concerning the torturing of our bodies by whippings, slitting of noses, cutting off eares, &c. and the Lording over our soules, by Oaths, Excommunications, &c.

We find, that these judgements and proceedings (upon our bodies) passed in due forme of Law, in Courts of Justice: and that the *Oaths*, *Excommunications*, *Ceremonies*, and *Canons* were no other, and no otherwise exercised, then was agreeable to the Lawes and Government established.

But we cannot but be sensible, that our sufferings in every kind have been much more during your reigne, then they were in his Majesties reigne; for how have you devoured our estates, by Taxes, Free-quarter, and that *Compendium of all slavery*, the Excize? how have you destroyed our bodies by strict imprisonment, and cruell starving? and how have you indeavoured to damne our soules, and to send us to hell by whole-sale, by your illegall, anti-legall, disloyall Vowes, Covenants, and Ingagements?

Concerning the long intermission of Parliaments, and the two Principles of Tyranny,

We find, that the Parliament begun 3. *Caroli*, was dissolve upon your Remonstrances, and we believe, that thereupon followed the long intermission of Parliaments for twelve years after.

And that it was in the Parliament aforesaid, the King avowed those *Maximes or Principles*, that he oweth an accompt of his actions to none but God alone: And that the Houses of Parliament, joyned together, have no power either to make, or declare any Law; which induceth us to believe, that even then there was some assault

3. *Caroli*,
3. *Caroli*.

3. *Caroli*,
3. *Caroli*,
3. *Caroli*.

by the two Houses upon the Royall Authority; which made the King to avow those principles:

The anti-monarchicall spirit beginning to work in that Parliament, and so making the King averse from Parliaments. Nor do we see how these principles are introductive of Tyranny, but sure we are the contrary are destructive of Monarchy.

And touching the first, we learn from Rom. 13. 4. That the King is the Minister of God, and who art thou that judgest another mans servant? to his own Master he standeth or falleth, Ro. 14. 4. The Law also averreth, that the Crown of England is in no earthly subjection, but immediately Subject to God, in all things touching the regality of the same Crown, and to no other, 16. R. 2. c. 5. And, touching the second Principle, the Law also tells us, That it is of the Kings Regality, to grant or deny such of their Petitions (for that was then the usuall forme of presenting their desires) as pleaseth himselfe. 2. H. 5. And that 1. Jacob. 1. the two Houses, craving the Royall assent to that Act, confesse, without it the Act cannot be compleat or perfect; &c. Sir Edward Cooke also in the fourth Part of his Institutes (a Book printed this Parliament by your Order) p. 25. saies, That there is no Act of Parliament but must have the consent of the Lords and Commons, and the Royall assent of the King.

The same also is true concerning the declaring of Law; as appeares by the 25. Edward 3. The words whereof are: And, because many other like cases of Treason (which are not expressed in that Statute) may happen in time to come, it is accorded, That if any other case supposed Treason, which is not above specified, doth happen before any Justices, the Justices shall tarry without any going to Judgement of the Treason till the cause be shewed and declared before the King and his Parliament, whether it be judged Treason or other Felonie: Which Declaration ought to be by the whole Parliament, and not by the King and Lords, or King and Commons, or Lords and Commons. Cook Instit. 3. part fol. 22.

Now Innovations, and Novelties in Parliamentary proceedings are most dangerous, and to be refused. Cook 4. part Instit. p. 11.

Concerning Scotland, the new Liturgy, and Canons, and the cancelling and burning the articles of Pacification,

We find, that the Liturgie and Canons were framed and sent hither with the advice or approbation of the Lords of the Council of that Kingdome; and if they were pursued with more vehemency

vehemency then ought, it must be imputed to the *Ministers of that Kingdome* that were trusted with it.

And that the *Articles of Pacification* were cancelled and burnt by the unanimous advice of the Privy Councell here, after they had been first broken by the Scots.

And we cannot but wonder, how you should take cognizance of transactions between his Majesty and his Subjects of Scotland, especially after an *Act of Oblivion*.

Concerning the calling, and dissolving the short Parliament.

We find, that this was part of the Charge against the Earl of *Strafford*, and the Archbishop of *Canterbury*, though declined in the prosecution of them both; and the reason hereof we conceive to be, that Sir *Hen. Vane* Senior might not be questioned, by whose false information and instigation, that Parliament was unhappily dissolved: that the Parliament being dissolved, his Majesty tooke from his Subjects by power, what he could not otherwise obtaine, is one of the *uncertainties* in your Declaration that we except against.

Concerning the summoning this present Parliament, and his Majesties expectation of supply against the Scots, and his protecting of wicked Councillors.

We find, that the King had little reason to hope for any assistance against the Scots, knowing, as he did, who called them in; and that from the Scots themselves whilst he was at *Yorke*: a Secretary of the Scots Lords at *Newcastle*, telling some English taken prisoners at *Newburne*, That their coming in had not been, but by the invitation of the English.

And that the King excepted no man of what quality or neernesse soever unto him, from a legall triall; leaving unto you the Earl of *Strafford*, the Archbishop of *Canterbury*, all the Judges, and whomsoever you would accuse; in so much that you examined and committed the *Queenes Confessor*, and examined the *Ladies of her Bedchamber*; and your Serjeant at Armes presumed so far, as come into the Kings withdrawing Roome next unto his Bedchamber, to cite and summon persons of greatest quality, and neernesse unto himselfe.

Concerning the Queens pious Designe, &c.

We find that the *Queenes Designe* (if any were) was most industriously examined by you; and that you had Sir *Kenelm Digby*, Mr. *Mountague*, and divers others before you in the House of Commons; and that when you had most narrowly sifted the

ness, you proceeded no farther in it, nor against them for it.

And for *Secretary Windebank*; That he was in the House of Commons after the report made; and so you might have proceeded against him.

Concerning Commissions given to Popish Agents for private Levies, &c.

We find, that not the *Papists* only, but the *Lords of the Privy Counsell*, and divers *Protestants* of the best quality in the Kingdome, contributed toward his *Majesties Expedition into the North*: and if by *private Levies* you understand other *Sums* collected for his Majesties use, we desire to know what they are; and untill then we must account this, and the other particulars annex unto it, amongst the *uncertainties* of your Declaration.

Concerning the bringing up of the Northern Army; We find, that whereas 50000. l. were ordered for the payment of that *Army*, and 10000. l. were taken by an *after Order* out of that summe, to satisfie a new motion and importunity of the Scot, some of the *Officers* of the Kings Army took offence and dislike thereat, and in discourse said, that they were disobliged by the Parliament, and not by the King; and thereupon concluded to serve his Majesty in all things that were *honourable, and agreeable* to the *Fundamentall Constitution* of the Kingdome.

And that afterwards *their discontent being heightened*, mention was made by some of the bringing up the Army to London, and making sure the Tower; but that was earnestly opposed and suddainly deserted by the Army it selfe; as would have appeared by the second examination of Mr. Goring, purposely suppressed by you; Wherein also are many contradictions to what you have published concerning this businesse (as we find) in his *Majesties Declaration of the 12. Aug. 1642. which you have not answered to this day.*

And as concerning his Majesty himselfe, we find in one of the depositions taken and published by you, that when he was made acquainted with it, he said those waies are vain and foolish, and that they should think of them no more.

Nor can we find in any thing by you published, though we have again and again read over the depositions printed together with your Declaration of May 19. 1642. and more particularly those of Sir Jac. Ashley, Sir John Conyers, and Col. Leg, in your present Declaration mentioned, we say we cannot find, that there was any *real transaction* between his Majesty and that Army, other then the signing of Capt. Legs Petition: Wherein the Army offered their service

service to the King and Parliamente, *for securing them against the violence of Tumults then frequent in London.* For which reason did not you also call up the Army in Aug. 1647. Exact
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And we must needs say, *considering those depositions, all other the particulars recited by you, as incident to this businesse,* are to be reckoned amongst the *uncertainties and insufficiencies* of your Declaration.

But we have been informed that others have endeavoured to seduce that Army from the Kings service, and from the Earle of *Strafford* their Generall, and that the said *E.* would have impeached them of high Treason for so doing, had they not prevented it by impeaching him a day or two before his impeachment against them was ready.

Concerning the Kings offer to the Scots of the Plunder of London, &c.

We find indeed in one of Sir *Jacob Ashleys* examinations, that *Oncal* put the question to him, *What if the Scots would be made newtrall? And that Sir Jac. answered him, that the Scots would lay him by the heeles, if he should come to move such a thing, for that they would never break with the Parliament.* Exact
Col.p. 229.

But we find not, in ought you have published, any positive prooffe of this charge against his Majesty; And therefore we must refer this, with what followes, *concerning Propositions made by Oncal, Sir John Henderson* and others with Letters of credence from the King, to the *uncertainties & insufficiencies* in your Declaration.

Concerning the Kings Journey into Scotland, &c. We find that after his Majesty had promised his Scottish Subjects to go into Scotland, for settling the unhappy differences there, at your intreaty he was perswaded to defer his Journey, to a day agreed on by your selves, and that he took his Journey accordingly. And that he left such a Commission behind him as was agreeable to Law, and which might be sufficient to prevent any inconveniencies that might arise in his absence; though he refused to passe it, with that extent, which was desired, viz. *for the Commissioners to consent to all Acts you should passe before he returned from Scotland.* E.
C

Nor doth it appeare that the Commissions issued out by Secretary *Windebank*, were other then according to the Law of the Land.

Concerning the businesse of Ireland.

Concerning the Kings Letters sent into Ireland by the Lord seeing you have not published them, we must reckon them as

the *insufficiencies and uncertainties* in your Declaration; As we must that *Commission sealed at Edinburgh to the Irish Rebels, and the Oaths and depositions of those who have seen it, and the promise of it to the Committee of London*, for the reason aforesaid; Though it were an easie matter for the Rebels to take off a great Seale, affixed to their Patents, and fasten it to Commissions of this kind; as we are credibly informed they did, to gain credit to their action amongst the People.

Concerning the *Irish Committee*, we find that they were chosen according to the constitution of that Parliament, *more Papists than Protestants; 7. of the one, and 6. of the other Religion*, sent under the notion of a *Committee from the Parliament for redresse of grievances* (Sir John Temple pa. 13.) and under that notion they complain, that the Earl of *Strafford* had taken a fourth part of the 5. Counties from the owners thereof, and intiled the King to it; and this is a particular Article of the impeachment against the Earle of *Stafford*.

Now the King only released that fourth part to the owners; which was equally beneficiall to the English, and Irish, Protestants, and Papists; and how can you justly charge, both the King for releasing it, and *Strafford* for seizing it.

Concerning the not disbanding the *Irish Army*, we find that that Army was raised to oppose the Scots invading England; and that his Majesty resolved to disband the one, so soon as he was assured of the return of the other; but wisely considering, that it might not be safe for the peace of Ireland, if such a Bodie were disbanded, as if it were transported, his Majesty gave leave to the Spanish Embassadour to transport 3. or 4000. of them for his Masters service, which you opposed, giving reasons to the contrary, at the instance of the aforesaid *Irish Committee*, then at London; having otherwise designed the service of those men (And this we conceive to have been the vice of Mac Cart and Macquires confession by you cited.) And so his Majesty consented to the disbanding and sending back of that Army into Ireland; which doubtlesse gave a great rise, and contributed much to the Irish Rebellion.

But that his Majesty knew nothing of any such designe, doth appear by the confession of *Macquire* at his Execution; who (to use his own words) did acquit the King upon his death, and any other man in England except one (and he but a private Gentleman, who came by chance to the knowledge thereof) from being guilty so much as of knowing it.

Concerning

Concerning the first Clause of their Oath to beare true faith and Allegiance to King Charles.

We know that in all *Rebellions* the chiefe Authors, and contrivers of them, make faire pretences and specious Oaths, to seduce the People to joyn with them in their undertakings.

And whereas they stile themselves the *Kings or Queenes Army*, that was meerly to countenance the Rebellion; if not also to raise farther jealousies between the King and you, and to set you at farther odds, that so upon your divisions in England, they might with more ease carry on the Rebellion in Ireland.

Concerning the 40. Proclamations sent into Ireland. We find not Exact Col p 247 that you ever so much as moved for any Proclamation against the Rebels; but the first motion came from the Lords Justices of that Kingdome; who also sent a draught of such a Proclamation as they conceived best for the suppressing of the Rebellion: And whereas ordinarily, the King never signes more then the first draught of a Proclamation, fairly ingrossed in Parchment, and by it Copies are printed, and dispersed in Ireland, as in England, the Lords Justices and Counsell, taking notice of the rumour spread amongst the Rebels, that they had the Kings Authority for what they did, desired that they might have 20. Proclamations sent over signed by the Kings Sign Mannall; to the end, that besides the Printed Copies which they would disperse according to custome, they might be able to send an Originall, with the Kings hand to it, to those considerable persons, whom they might suspect to be misled by that false rumour; and who when they saw the Kings very hand, would be without excuse, if they persisted; Whereupon the King signed double the number; and for expedition of the service, commanded them to be printed, as is well known to some Lords now sitting in Parliament, and then sitting with his Majesty in Counsell.

Concerning the Letters written to the Lord Muskery from Court. We find not how it reflects upon his Majesty; but that rather it is to be referred to the insufficiencies and uncertainties in your Declaration.

And concerning the Kings Letter to the Marq. of Ormond, giving perticular thanks to Muskery and Plunket, we find it to be the professions of their endeavours to bring their Country to moderation and obedience, at that time when they were at Oxford, employed by the Irish to his Majesty, during the Cessation.

Of the delaying and detaining of the Earl of Leicester. We find that the King often pressed you that he might be dispatched, and

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sent away to Ireland ; and that in his Answer to your Petition of the 28. Ap. 1642. it is one of the reasons of his resolution to go in person into Ireland, *because the Lord Lieutenant did not repair to his command there ;* Nor came he to his Majesty at York, till three moneths after; and when he had received his Majesties instructions there, and took his leave, with profession to go to Chester; he went not according to promise, but returned to the two Houses at London. Two months after you commanded him to Chester; where he stayed 3. weekes in Expectation of Ships to transport him ; and his Majesty hearing that he had *neither Provision of Money, nor any force to be sent with him,* but his own retinue, (the Regiments of Foot and Troopes of horse which had been raised for that service, having been imployed against his Majesty at Edg. Hill; and being still kept as a part of the Earle of Essex his Army) considering that the Protestants there would have been much disheartened, and the Rebels equally encouraged, *if the Lord Lieutenant had arrived in so private a manner,* therefore his Majesty sent for him to Oxford, till he could receive better satisfaction from the two Houses concerning the preparations for that Kingdom.

Concerning the Commission for the Lord Brooke and the Lord Wharton.

We find that the Commission desired was to have *been Independent upon his Majesties Lieutenant of that Kingdome ;* and therefore his Majesty refused it.

Concerning Papists and others passed by the Kings speciall Warrant into Ireland named by you,

We find, that Mr. Pym, at a Conference with the Lords, about the beginning of Feb. 1641. declared, *that after the Ports were shut by both Houses of Parliament, divers Papists passed from hence by his Majesties speciall Warrant, and headed the Rebels in Ireland:* whereof his Majesty having notice, required him, and you again and again, to *name* any one person so passed by his Majesty, and now in head of the Rebels ; and you have not *named* any one to this : and so we must refer this to the *uncertainties and insufficiency* in your Declaration, as also what followes concerning the *Commanders and Officers called off from their trust against the Rebels ; the supplies which the Rebels had by the E. of Antrim, I. Aboine, and others from the Queen. And lastly concerning the peices of battery from hence desired by the Counsell of Ireland;* of all which no evidence or instance hath been offered unto us; save only that the King commanded the two Ships under Capt. Kettleby, & Capt. Stradling, to

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attend him at Newcastle, having before given you notice thereof, to take care for the guarding of that Coast; all other his Majesties Ships, besides those two, being at that time at your disposall.

But we cannot but remember, how the Earle of *Leven* sent Generall of the Scots into Ireland against the Rebels, was called from thence to lead an Army into England against his Majesty.

And how many Officers, both Scots, and English, left the service in Ireland, and were employed by you here in England, being necessitated thereto, *for the recovery of their Arreares*, which they could not obtain otherwise; as Sir *Richard Greenville*, &c.

Concerning the Cloathes seized by his Majesties Souldiers. We find that it was done about Coventry, *when that City stood out against his Majesty*; and we conceive you should have sent for a *safe conduct* for passing them through his Majesties Quarters. Also we find that when his Majesty had taken Chelter, he sent over into Ireland, 3000. *suites of cloathes*, provided by you for that service; although his own souldiers were in great want of them.

And now let all the world judge, how much reason you had to believe the Rebels when they did so often swear they did nothing without good Authority and Commission from the King, &c.

The information given to the Arch-Bishop of a designe amongst the Papists, for a generall Massacre of all the Protestants, we conceive to be no objection against the King, nor can we account otherwise of it, then as one of the *uncertainties and insufficiencies* of your Declaration.

Concerning the Kings Letter to the Pope when he was in Spain.

As we know that his Majesty was sent into Spain by the Command of his Father, to conclude a Marriage with a daughter of that Crown, so we find in the transaction of that business, that the King of Spain sent a Letter to the Pope for a dispensation; and thereupon the Pope writ a Letter to the Prince, which his Highnesse answered. And we desire to know, whether you have a Copy of the very Letter sent to the Pope; for we are informed, some having prepared and brought a draught of a Letter to his Highnesse, he perused it, and struck out such passages as reflected upon our Religion; and with that alteration caused it to be sent to the Pope: that you follow a Copy of the first draught, as we find it in the French Mercury.

The Kings Letter to the Pope, in behalfe of the Duke of Lorraine and his Agent at Rome, are of your uncertainties &c. And so is the Confession of the Queen Mothers servant, and whatsoever else follows.

eth in that Paragave; besides that it no waies reflecteth upon his Majesty.

Concerning the unuall preparation of Ammunition and Armes, with new Guards within and about Whitehall, when the King came from Scotland, &c.

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We find that upon his Majesties return from Scotland you gave him an Alarme, presenting to him a Remonstrance of the State of the Kingdome, laying before him (to use his Majesties own words in his Declaration of the 12. Aug.) and publishing to the world, all the mistakes and all the misfortunes, which hapned since his first coming to the Crown, and before, to that hour; forgetting the blessed condition all his Subjects had injoyed in the benefit of plenty and peace under his Majesty, to the envy of Christendome. We find also in the same Declaration, that after the King came to Whitehall, great multitudes of mutinous Peop'e resorted daily to Westminster, threatening and assaulting the Bishops, and misusing severall Members of either House, which did not favour their designs; and proclaiming the Names of many of the Peeres, as evill and rotten hearted Lords. Besides they made a stand at Whitehall Gate, and said they would have no more Porters lodge, but would speak with the King when they pleased; Whereupon his Majesty provided a Guard to defend himselfe against the violence and insolence of those Tumults, and Ammunition and Armes were brought thither for the same purpose.

Fireworks in Papists houses we refer to the uncertainties of your Declaration; as we do also what followes concerning the Guards, Canoneeres, Granadoes &c. in the Tower. Sir W. Balfore, we find, was removed, not without his own consent, and upon an ample Compensation in Money.

And concerning the City Petitions, we conceive you framed and infused them, as you had done the like, to our knowledge, in the Countries.

Concerning the charge of Treason against some of both Houses, and the Kings coming so attended to the House of Commons.

We find it a Maxime in Law, that in case of Treason, Felony, and breach of the Peace, there is no priviledge of Parliament; so the Members may be prosecuted in these cases, as if they were not Members. We find also, that the King had reason to accuse those Members of high Treason, since (as he alleadgeth in his unanswered Declaration of the 12. of Aug.) he could make perticular Proofs against them of a solempne Combination entred into by them, for altering the Government of the Church and State, and of their treating with

with forraign Power to assist them, in case they should fail in their enterprize; of the solliciting and drawing down the Tumults to Westminster, and of their bidding the People in the height of their fury to go to Whitehall.

Concerning the Kings coming to the House.

We find, that first the King sent his Attorney to the House of Lords with a charge against the Lord Kimbolton, now Earle of Manchester, as the Attorney Generall did accuse the Earle of Bristol in the first yeare of his Majesties Reigne; and that he sent the Sergeant at Armes to the House of Commons, to acquaint them that he did accuse and intended to prosecute their 5. Members for high Treason; and did require that their persons might be in safe custody; Whereupon you made an order and the same night published it in Print, *that if any person whatsoever* Exad C.
should offer to arrest the person of any Member of that House, without first p. 35.
acquainting that House therewith, and receiving farther order of that House, that it shall be lawfull for such Members or any person to assist them, and to stand upon his or their Guard of defence; and to make Resistance according to the Protestation taken to defend the priviledges of Parliament. And hence we conceive the King was necessitated to go in person unto you for the farther prosecution of that charge; and for *his attendance*, we find that he took with him only his servants, and such Gentlemen as were then in the Court; And that being come to the upper end of Westminster Hall, before he went up the staires to the House of Commons he charged all those that accompanied him (*except some few ordinary servants*) *not so much as to come up the staires, nor to offer violence or injury to any person, upon pain of their lives*; as Captain Bernard Ashby testified before your Committee at Grocers Hall; which testimony you have suppressed as you did the second Examination of Col. Goring concerning the Northern Army. Nor do we see, why (*in Justice*) his Majesty might have come in a forcible manner *indeed to your House, and against it, you had protected those Traiterous Members, as the Army threaten to do when you would not give up your Members whom they had accused of high Treason.* And this is strange to us, that you should be so *traitorous for the 5. Members, and so careless of, and injurious to the Head of the Parliament, and grant the Army what you denied.* And your undue protection of these Members against the King was it but (*to use your own words*) *the prologue to the blood that hath bin acted amongst us.* Besides in your Petition presented to his Majesty at Tibballs primo Mar. 1641. you besought his Majesty's leave, that the dangerous and desperate design upon the House was inserted into the preface of your Ordinance for the Militia to cast the blame upon him; but therein they reflected upon the Malignant Par-

What you meane *by the good affections of the City*, we know not ; but we find, (in his Majesties Declaration of the 12. of August) that on January 11. 1641. the Trained-Bands of London guarded the accused Members from the City to the Parliament-House by Land, and that there were 100. long Boats, and Lighters laden with Sacres, Murdering Pieces, and Ammunition, which passed by White-hall, and attended by water ; and that there was a designe to have seized his Majesties Person (as is confessed under the hand of one who hath been very active in your service, and should have been a principall actor in it) had not His Majestie removed from VWhite-hall the day before ; but what you could not then effect by tumults, you have since done by force of Armes.

Concerning the List of Armes and Ammunition, taken amongst His Majesties Papers.

We find, that you had first seized the Kings Magazines in the Tower, and at Hull, by Major Skippin, and by Sir John Hotham, the former besieging the Tower by Land, and by Water, the 12. of Jan. 1641. the latter possessing himselfe of Hull not many daies after ; no marvell then that the King tooke order for Armes, and Ammunition beyond the Sea.

What else you say *concerning the Lord Digby*, cannot reflect upon the King, and must be referred to your Insufficiencies.

The *Commissions to the E. of Newcastle and Col Legg*, we find to be none other then according to Law, and that they were not granted, untill his Majestie was assured, that some of your leading Members had a designe to procure an Order for seizing those Towns.

The *Vessel that arrived with Armes and Ammunition neer Hull*, was not till about six moneths after that you had put a Garrison into that town, and about three moneths after Sir John Hotham had shut the gates of it against the King.

The *Invasion of the King of Denmarks Dominion by the Swedes*, we find, 40 yeares after your seizing of Hull, and after the removing of the Magazine from Hull to London : and therefore is it one of your Insufficiencies ; as also what precedes, *Concerning your Intelligence from Countreys of forraign Forces from Denmarke*, and what followes, *your notice of a Fleet preparing in Denmarke*, and that one of Digbys servants had solicited a Marriner (or Pilot) to conduct and concerning the Letter to Secretary Nicholas from the Countrey that there were coming from Denmarke Ships with 10000. Armes &c. are all to be reckoned amongst your uncertainties and insurances, since experience hath made it evident, that there was not colour for it.

Concerning Cockrans Negotiation in Denmarke.

VVe find from your own Declaration, that *it was after you were beginning to make head against the King, and were levying Forces, or rather, when the E. of Essex was marching with his Army against His Majesty, and the principall Instruction given to him was to presse that King, to assist His Majesty with Money, Armes, and Ammunition, (you having seized all which belonged to his Majesty) and that the same might be sent in some ships of that Crowne, because all the Kings owne were taken from him, and lay in wait to intercept any provision that should be sent to him.* And whereas in your Declaration of 22. Octob. 1642. you said, that *Cockran was sent into Denmarke to bring Forces thence into England,* His Majestie in his Answer disavowes that, saying, *that he had never greater cause to be confident of security in his own Subjects; and therefore he could not believe so vile a scandall could make any impression in sober men.* And if he had not been confident of security in his owne Subjects, why might he not move for forraigne aids against the great designe of extirpating the Royall Blood and Monarchy of England, declared long since by M. Martin openly in your House, without any reproofe at all. What is written concerning *your endeavour to lay a blemish upon his Majesties mother,* may happily not be knowne to your whole House, busineses of that nature being secretly laid and carried on by a few: but we are informed, that there are some at Westminster, that know what passed in that businesse, and by whose loyalty the motion of it was quashed in the bud.

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VVhat else you cite out of *Cockrans Instructions,* we find to be misrepresented by you, for that his Majestie mentioned *the Holland Fleet only as allowed by the States to give her Majesty a Convoy into England,* and concerning other his neighbour Princes and Allies, he saith, *We expect and hope that they will not looke upon so dangerous a precedent to their owne Crowns and Monarchies, without contributing to suppress so pernicious a design, begun in this Kingdome.*

Concerning the Queens going into Holland, and carrying over, and bringing the Jewells of the Crowne, &c.

VVe desire, first to know, whether those Jewells were not his Majesties owne, bought with his owne money, or with the moneys of his Ancestors, and not with the moneys of the Crown? and whether you can produce any intail of them upon the Crown? and if so (we concei-
they were not unduly imployed by the King for the defence of the Crowne. Concerning what followes, we find that her Majesty tooke her journey into Holland, Feb. 23. and that her journey was not resolved on till the beginning of that moneth, but you petitioned for the Militia, Jan. 26.

and Sir *Arthur Haslerigg* brought in a Bill to that purpose in *Octob.* before. We find also that Major *Skippon* besieged the Tower Jan. 12. (which is to levy War against the King by the 25. Ed. 3.) so you had both petitioned for the *Militia*, and took up Armes, before her Majesties journey into Holland. We have also seen your *Reasons, of the 15. of July*, presented to his Majesty, for the stay of her Majesties former journey intended beyond the Seas; and we find no mention of the *Jewells and Plate of the Crown* in them, and we appeale to your Journall Books in this point.

Concerning the Kings solempne Protestations, &c.

WVe find that you willfully misunderstand and misrepresent them unto us.

125. You are jealous, that the *King intended to bring in forraign Forces, to invade the Kingdome*: his Majesty protests the contrary, but intimates that he would make use of forraign force (if he shall need them) to keep himselfe from oppression.

563. You charge the *King that he had a design of bringing up the Northern Army against the City, and the Parliament*, his Majesty protests the contrary; but denies not, he consented the Army should come up to secure his Royall person and his Parliament against Tumults.

357. 1257. May 20. 1642. you voted that the *King intended to levy war against the Parliament*. He protesteth the contrary to the Lords at York June 15. as he has declared June. 13. that he would not engage in a War against the Parliament, except it be for his own necessary defence and safety against such as do insolently invade and attempt against him, or such as shall adhere unto him: After that you had declared all those Delinquents, who had withdrawn themselves to York, and should persist to serve the King. And so his Majesty did nothing contrary to his Protestations, in protecting *Berkwich*, whom you had sent for as a *Delinquent*, for his endeavour to regain *Hull* to his Majesties obedience: June 10. 1642. you published Propositions and orders for bringing money or plate, to raise an Army for the defence of the Parliament; Whereupon his Majesty set forth a Declaration June 16. disavowing any intention to levy War against his Parliament, saying he should be driven to it, for the security of his Person, for the defence of Religion, Lawes, and Liberties of the Kingdome, and the just Rights and Priviledges of Parliament. And for those ends he excites his Subjects to bring in Money, Plate, Armes, Horse, and Horsemen in the close of that Declaration. And he sends to Sir *John Heydon* Lievtendant of the Ordnance, for Ordnance, Powder, Shot, and Ammunition, June 20. The Commission of array we find to be legall, by Sir *Edward Cook* Instit. par. 4. 124 a book printed by your own Order; and by Just. *Huttons* argument

ment

ment in the case of Mr. Hampden, fol. 39. 40. The Guard raised by his Majesty at York, we find to have been one Regiment of Trained Bands, commanded by their proper Col. and one Troop of Horse consisting of neere one hundred, for the most part (if not all of them) of the Gentlemen of that Shire; And the occasion of those Guards we find to be this; you sent severall Committees to Hull, Lincolnshire, and York, to perswade the People to approve of what Sir John Hotham had done at Hull, and to assist him if there were occasion, whereupon his Majesty raised this Guard for his own defence; least Sir John Hotham should shut him up at York, as he had before shut him out of Hull.

Concerning the Kings abusing your Committce by the Guard about him, we have perused their Letters printed with your Remonstrances, and find no such complaint in them. The *Posse Comitatus* we find was never raised; the high Sheriff waiting daily on his Majesty.

Concerning the Kings proclaiming the Parliament Traitors. We find Exact Col. p. 185. that the King proclaimed none, but such as the Law declareth guilty in the Statute of 25. E. 3. as Sir John Hotham for shutting the Gates of Hull against him; and the Earle of Essex for leading an Army against him; and he never declared the Parliament Traitors, unlesse in your sense; that Exact Col. p. 376. whatsoever violence should be used either against those who exercise the Militia, or against Hull, you could not but beleve it as done against the Parliament.

And concerning the Kings setting up his Standard, &c.

We find it was not done till the 22. of Aug. at which time the Earle of Essex was marching in Battel array against him; and if this be, so is your proceeding without president; your design being against Monarchy it selfe, which is more then ever was attempted before; for though the Exact Col. p. 198. Person of the King hath sometimes been unjustly deposed, yet the Regall Power was never before this time stricken at, as his Majesty hath declared upon your nineteen Propositions presented to him June 2.

Concerning the Parliament at Oxford. We find that there was neither recall nor mock-Parliament set up there, but that the King by his Proclamation invited the Members of both Houses, driven away from Westminster, to attend him at Oxford, that all his good Subjects should see how willing he was to receive advice, for the Religion, Lawes, and safety of the Kingdome, from those whom they had trusted, though he could not receive it in the places where he had appointed. We remember also that that body of Lords and Commons published a Declaration to the Kingdome, at large setting forth the particular acts of Violence, by which they had been driven from Westminster, and by which the Freedome of Parliament had been taken away; which you have not answered to this day. And if want of Liberty, or Fe-

lony and Treason supersede all priviledges of Parliament (as we have been informed) we doubt, *for all the Act of Continuation*, whether you be not a *mock Parliament* or no: and whether you also may not be called a *mongrell Parliament* consisting of so many kinds of factions, as you do.

And here we cannot but freely declare, what we have observed from the beginning of the Parliament. That there was in both Houses a party that intended the overthrow of the Government of Church, and State: which when they could not effect in a Parliamentary way, and by free Voting,, they rais'd and call'd down Tumults from London, to drive away those Members of both Houses that opposed them; that done, the aforesaid party remaining at Westminster, *call themselves the Parliament of England*, and under pretence of serving and securing the Kingdome, they enter upon the *Militia* and take up Armes, and will never lay them down, till they have wholly altered the ancient, and Fundamentall Government of the Kingdome. And this is our opinion of your constitution and proceedings.

Concerning the Cessation in Ireland; VVe find by the Letters of the Lords Justices, and the Counsell of Ireland, to you as well as to his Majesty; That the Army was in such extream want there, that it could no longer subsist, but must either disband or depart the Kingdome; and his Majesty being not able to assist them, and you who undertook to carry on that war, wholly neglecting them (the Enemy still increasing in strength and power,) *with the full advice and approbation of the Lords Justices and Counsell there, and concurrence of all the chiefe Officers of that Army, that Cessation was made*; by which only the Protestants of that Kingdome and his Majesties interest there could be preserved

Concerning the Peace made in Ireland.

We find that the *Marq. of Ormond only, had power to make Peace there*, and that he refused to make it, upon those unworthy conditions, proposed by the Rebels; and concerning the Earle of Glamorgan, we find that his Commission was not to make peace, but to give him credit in the Negotiations there for Souldiers.

Concerning the Kings Protestations against Poperie, and his Letters to the Queen, and the Lord of Ormond, for taking away all penall Lawes against the Papists.

We find by the Treaties of the Lord of Ormond with the Irish Rebels, that *his Majesty would have granted their demands in point of Religion, and the whole Kingdome would unanimously have declared for him, and served him*, but such was his constancie to his Religion, that he would rather hazard himselfe and his affaires in England, then accept of assistance upon those termes from Ireland. We find also that this would have been

been evidenced by some other of the Kings Letters to the Queen, taken by you at Nasby; which you have purposely concealed, least they should too plainly discover the Kings detestation of that Rebellion, and his rigid firmnesse to the Protestant Religion.

And from his Majesties avowed firmnesse to the Protestant Religion, it was, that the Sectaries at first joyned in arms against him, and that the Popish Princes have not succoured him: yea, we are informed, that great store of Priests and Jesuites are in your Army, intruding and concealing themselves under the generall Liberty now practised in matters of Religion, and combin'd with the Sectaries against the King, as equall enemy to them both; and if God doth not prevent it, they are likely to destroy both the King, and our Religion together.

We have heard, that M. *Henderson* lying on his death-bed, told his friends about him, if they would preserve Religion, they must preserve the King: the admonition will serve as well for England, as for Scotland.

The sum of your Declaration.

AND now have we run through the severall particulars of your Declaration, and we find that

1. You charge his Majesty with what you cannot take cognizance of, as his Transactions with his Scottish Subjects, and after an act of Oblivion.

2. That touching the Occurrences and Transactions in England and Ireland, you charge his Majesty falsely, maliciously, illegally, unreasonably.

1. *Falsly*, that the King never made any proposall fit for you to receive. That he hath not kept his Coronation Oath. That he betrayed Rochell. That by his two Maximes he hath laid a foundation of Tyranny. That he protected evill Counsellors. That after you had shut the Ports, hee gave Passes to Papists, to go over into Ireland, who were afterward in the head of the Rebels. That by his Guard he abused your Committee at York, and protected *Berwicke* against the *Posse Comitatus*. And that he set up a mock-Parliament at Oxford, &c. yea you charge his Majesty with things rejected by him when they were proposed to him; as the bringing over the German Horse. The bringing up the Northern Army to the City, and to secure the Tower; not forgetting that you suppressed Col. *Gorings* second examination about that businesse. There are also other falsities in your Declaration: as that a fleet from Denmark had fallen upon Hull and the Magazine there; had not the Sweds about that time invaded the King of Denmarks Dominions, &c.

2. *Maliciously*, by misrepresenting his Majesties actions.

That

That the King sometimes denied to receive your humble Petitions, for peace. Concerning the Kings advance to Brainford. Concerning his Commission and the bloody Massacre at London. Concerning his giving the 5. Counties to the Irish Committee. Concerning the 40. Proclamations sent into Ireland. Concerning the Kings Letter to the Earle of *Ormond* to thank *Muskerie* and *Plunket*. Concerning his Letter to the Pope. Concerning the Kings going to your House; when by the way we cannot forget your suppressing Captain *Asbleys* examination at Grocers Hall. Concerning *Cockrans* Negotiation in Denmark, concerning the Holland Fleet, concerning his Majesties Protestations against bringing over Forraigne Forces, against bringing up the Northern Army, and against making warre against this Parliament, concerning his Commission to the E. of *Glamorgan*, &c.

3. *Illegally, that is, for what the King did according to Law*, as the charging the five Members with Treason, the Commission of Array, his proclaiming some Traytors.

Also we find, that *he had a Judgement in Law for the Ship-money*, the Canons, Ceremonies, &c. were also according to Law. Nor can you by your owne Law charge him with what he did upon the Certificate of his Attourney and Solicitor in case of Monopolies, nor with what he did by the advice of the Privy Councell, concerning Scotland, dissolving the Parliament, and the Cessation in Ireland.

4. *Unreasonably.*

1. *With the grievances of the Kingdome after they were remedied by severall Acts of Parliament*, as Ship-money, Monopolies, &c.

2. *With what his Majesty justly had satisfied*, as Coate and conduct money and inclosing Commons.

3. *With what was done by Courts of Justice*; as the Whipping, &c.

4. *With what was done by King James*; as the Articles with Spain, and France.

5. *With what the Queen did*; as her designe, if there were any.

6. *With what the Irish Rebels say*, calling themselves the Kings, or the Queenes Army, &c.

With what your selves are guilty of, as the not prosecuting the Duke of Buckingham. The long intermission of Parliaments caused by your Remonstrances. The rise of the Irish Rebellion by your not suffering the Army to be transported, the delaying the Earl of Leicester, &c.

8. *For refusing your unreasonable desires*; concerning the Commission when he went into Scotland; And the Commissions to the Lord Brooke and the Lord Wharton.

For

9. *For what the King did in Order to his necessary defence, as the Guards and preparation of Armes and Ammunition at Whitehall. The List of Armes and Ammunition found amongst his Majesties Papers. The Vessel that arrived neer Hull with Armes, and Ammunition, Cockrans Negotiation in Denmark. The pawning the Jewells of the Crown; his Letter to Sir John Heydon for Ordnance, &c. His Declaration to bring in Money, Plate, &c. His Guard at York, and setting up his Standard.*

And from these your false, malicious, illegall. and unreasonable allegations and charge, how can you conclude that his Majesty hath broken his trust with the Protestants in France, Scotland, Ireland, and this Kingdome? And that he hath endeavoured to enslave us by German, Spanish, French, Lorrain, Irish, Danish, and other Forraign Forces? And that he hath wholly forgotten not only his duty to the Kingdome, but also the care and respect he oweth to himselfe, and his own family, and that you will repose no more trust in him, but settle the present Government without him. Let our strength be the Law of Justice.

2 Wisd.

And because you iterate, and reiterate his Majesties Breach of trust, and your resolutions thereupon, we also reiterate our faith of that point, We beleeve the Kings Power to be fiduciary, and the Kingly Office a great trust, but that he is intrusted as he is impower'd by God, and only by God.

2 Wisd.

S. Paul tells us (Ro. 13.) That there is no power but of God; And that the Powers that are, are ordained of God; and that the chiefe Magistrate) is the Minister of God; Arm'd by God with the sword, to execute wrath upon him that doth evill.

3.

And when you can out of the holy Scriptures, shew us as cleare a Derivation of Politicall Power, and trust from the People, we will assent to your opinions and submit to your resolutions.

Besides when S. Paul writ this Epistle to the Romans, Nero was their Emperor; And so he that resisteth (Nero) resisteth the Ordinance of God; And they that resist shall receive to themselves damnation.

Now if that bloody Tyrant and Persecutor Nero, might not be resisted, nor may any Emperour or Sovereign whosoever, be invaded, imprisoned, deposed, murdered, and the way for security, prescribed to Subjects by the Apostle, is not to wrest the sword from the King, but to submit and obey him; Wilt thou not be afraid of the Power? do that which is good, and thou shalt have praise of the same, v. 3.

Wherefore (whatsoever befalls us, though we live under a Nero) we must needs be subject not only for wrath, but also for conscience sake. v. 5.

And we know no medium between subjection and Rebellion, so that 2 Chro 5 when we cease to be Subjects, we necessarily become Rebels.

E

And

And in truth, when of Gods Lieftenant, you would make the King only the Peoples chiefe Officer, your quarrell is not with the King only, and the Crown, but with God himfelfe alfo, the Author of politicall order, Power and Government. And whilst you intend to *depose the King*, what do you but *usurp upon God himfelfe*? For he removeth Kings, and setteth up Kings, *Dan 2. 21.*

And do you provoke God to Jealouſie, are ye ſtronger then he? 1 Cor. 10. 22. And the manner whereby God promotes Kings with us is by *naturall Generation*; and the meanes whereby he removeth them, is *naturall Death*; Nor can the Reigne of a King of England *duly* be determined otherwise.

We ſhall conclude (as you do) with a word or two concerning the *Kings Family*: and ſhall cite ſome paſſages of the two Houſes of Parliament, 1. *Jac. 1.*

We do upon the knees of our hearts agnize our moſt conſtant faith, obedience, and loyalty to your Maſteſtie, and your Royall Progeny, as in this high Court of Parliament, where all the whole body of the Realm, and every particular Member thereof, either in perſon, or by representation, (upon their own free Election) are by the Lawes of this Realme deemed to be perſonally preſent.

Again, *We (being bounden thereunto both by the Lawes of God and Man) do recognize and acknowledge, and thereby expreſſe our unſpeakable joyes, that immediately upon the diſſolution and deceaſe of Elizabeth, late Queen of England, the imperiall Crowne of the Realm of England, and of all the Kingdomes Dominions and Rights belonging to the ſame, did by inherent birthright, and lawfull and undoubted ſucceſſion, deſcend and come to your moſt excellent Maſteſty, as being lineally, juſtly, and lawfully next and ſole Heire of the Blood Royall of this Kealme, and that by the goodneſſe of God Almighty, and lawfull right of deſcent.*

Laſtly, *And we moſt humbly and faithfully ſubmit and oblige our ſelves, our heires, and poſterities for ever, untill the laſt drop of our blood be ſpent, and do beſeech your Maſteſty to accept the ſame, as the firſt fruits in this high Court of Parliament of our loyalty and faith to your Maſteſty, and your Royall Progeny and Poſterity for ever.*

O the basenesse and vilenesse of the English Nation, thus to protest to the Father, yet to depose the Son, and to destroy the Posterity! read the 17. *Ezek.* 16, 18, 19.

But that is come to passe which was fore-told by S. Paul, *In the last dayes perillous times shall come; for men shall be lovers of their own selves, covetous, boasters, proud, blasphemers, disobedient to Parents, unthankfull, unholy.*

Without naturall affection, truce-breakers, false accusers, incontinent, fierce, despisers of those that are good, Traytors, heady, high minded, lovers of pleasure more then lovers of God.

Having a forme of godlinesse, but denying the power thereof: from such turne away, 2 Tim. 3. 1. &c.

Finally, whereas you intend to settle the present Government without *Hos. 8. 2. more adoe*, we shall rather hearken to Solomons admonition, then comply with your resolutions, *10. 2.*

My Son fear thou the Lord, and the King, and meddle not with them that are given to change; for their calamities shall rise suddenly, and who knoweth the ruine of them both? Prov. 24. 21, 22.

F I N I S.

